

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

**Clerk's Minutes
Before the Honorable James O. Browning**

CASE NO. CIV 24-0572 JB/KK

DATE: 3/5/2025

TITLE: Chavez et al v. Vilsack et al.

COURTROOM CLERK: C. Padilla

COURT REPORTER: J. Bean

COURT IN SESSION: 12:01 PM/1:46 PM

TOTAL TIME: 0:51

TYPE OF PROCEEDING: MOTION HEARING

COURT RULING/DISPOSITION:

1. PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION AND STAY AND WAIVER OF BOND [21]- TO BE WITHDRAWN
2. PLAINTIFFS MOTION TO STRIKE RESPONSE AND APPEARANCE FOR VILLAS DE AVENIDA CANADA [32]- TO BE WITHDRAWN
3. PLAINTIFFS OPPOSED MOTION FOR CLASS CERTIFICATION [24]-DEF. WILL PROVIDE A POSITION BY THE END OF THE WEEK
4. DEFENDANT BOSLEY MANAGEMENT INC.'S MOTION TO ENFORCE SETTLEMENT AGREEMENT [63]- ORALLY DENIED WITHOUT PREJUDICE
5. EMERGENCY MOTION TO STRIKE DEFENDANT BOSLEY MANAGEMENT INC.'S MOTION TO ENFORCE SETTLEMENT AGREEMENT [64]-ORALLY DENIED WITHOUT PREJUDICE.
6. MOTION FOR HEARING [65]- ORALLY GRANTED.

ATTORNEYS PRESENT FOR PLAINTIFF(S):

ATTORNEYS PRESENT FOR DEFENDANT(S):

Marcos Segura, Natalie Maxwell

Jesse D. Hale, Richard H. Cravens

Sovereign Hager, Maria T. Griego

Benjamin F. Feuchter

PROCEEDINGS:

COURT IN SESSION: 12:01 PM

COURT: CALLS CASE, COUNSEL ENTER APPEARANCES. ADDRESSES PENDING MOTIONS.

MR. SEGURA: RESPONDS, THERE IS A SETTLEMENT CONFERENCE SET FOR TOMORROW.

COURT: MOTIONS NEED TO DISAPPEAR. DIRECTS PARTIES TO STEP OUTSIDE THE COURTROOM AND DISCUSS HOW THEY WANT TO PROCEED.

IN RECESS: 12:05 PM

COURT IN SESSION: 12:16 PM

MR. SEGURA: WILL WITHDRAW MOTION FOR PRELIMINARY INJUNCTION AND MOTION TO STRIKE.

MR. HALE: NO OBJECTION. WILL WORK ON A RESOLUTION ON MOTION FOR CLASS CERTIFICATION.

COURT: YOU'RE GOING TO GET A RULING ON IT, CAN'T WAIT FOR BRIEFING.

MR. HALE: WILL PROVIDE A POSITION BY THE END OF THE WEEK.

COURT: ADDRESSES THE SETTLEMENT CONFERENCE.

MR. HALE: RESPONDS.

COURT: YOU CAN ALWAYS WITHDRAW AND REFILE.

MR. FEUCHTER: NO OBJECTIONS.

MR. CRAVENS: NO OBJECTION.

COURT: ADDRESSES MOTION TO ENFORCE SETTLEMENT.

MR CRAVENS: ARGUES IN SUPPORT OF MOTION.

MR. HALE: NO POSITION.

COURT: ASKS MR. FEUCHTER ABOUT PRINCIPALS AND MEMBERS.

MR. FEUCHTER: RESPONDS.

COURT: DIRECTS MR. FEUCHTER TO SUBMIT A LETTER REGARDING PRINCIPALS AND CITIZENSHIP OF ALL MEMBERS.

MR. SEGURA: ADDRESSES ISSUES WITH RELEASE. ASKS TO CONFER WITH HIS TEAM.

IN RECESS: 12:37 PM

COURT IN SESSION: 1:04 PM

MR. SEGURA: AFTER CONFERRING WITH THIS TEAM, BELIEVES THEY HAVE A SETTLEMENT.

MR. CRAVENS: APPROVAL FROM CLIENTS TO NOT OPPOSE CLASS CERTIFICATION .

MR. SEGURA: RESPONDS.

IN RECESS: 1:17 PM

COURT IN SESSION: 1:28 PM

MR. CRAVENS: AGREES TO EVERYTHING EXCEPT ADMINISTRATOR FEES.

COURT: ADDRESSES RELEASE LANGUAGE

MR. SEGURA: RESPONDS.

MR. CRAVENS: WANTS FINALITY IN THE RELEASE.

MR. SEGURA: RESPONDS, AGREES TO LANGUAGE.

COURT: NOT PREPARED TO SAY YOU HAVE A SETTLEMENT YET. DIRECTS MR. CRAVENS TO CALL HIS CLIENT.

IN RECESS: 1:33 PM

COURT IN SESSION: 1:38 PM

MR. CRAVENS: ADJUSTER WILL COME UP WITH NO MORE THAN TEN THOUSAND DOLLARS.

COURT: WHAT WOULD YOU LIKE TO DO WITH THE MOTION?

MR. CRAVENS: GRANT THE MOTION.

MR. SEGURA: THINKS MOTION SHOULD BE WITHDRAWN.

COURT: DENY MOTION WITHOUT PREJUDICE. GRANT MOTION FOR HEARING.

NO OBJECTION FROM PARTIES.

COURT: MOTION TO STRIKE MOTION TO ENFORCE SETTLEMENT- DENIED.

NOTHING FURTHER.

COURT IN RECESS: 1:46 PM